

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

NANCY DUMOND,

Plaintiff,

v.

COMMISSIONER SOCIAL SECURITY
ADMINISTRATION,

Defendant.

No. CV06-6133-ST

OPINION AND ORDER

MOSMAN, J.,

On May 18, 2007, Magistrate Judge Stewart issued Findings and Recommendation ("F&R") (#23) in the above-captioned case recommending the Commissioner's decision be REVERSED and REMANDED FOR AN IMMEDIATE AWARD OF BENEFITS. No objections were filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Stewart's recommendation to REVERSE and REMAND FOR IMMEDIATE BENEFITS, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 18th day of June, 2007.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Court